





PENDING CASE

ZONING BOUNDARY

#### **NOTIFICATIONS**

CASE#: C15-2016-0097 701 W. ELIZABETH ST.

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





#### **CITY OF AUSTIN**





## Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, <u>click here to Save</u> the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

#### For Office Use Only

Case # 🔾	5-2016-	0097 ROW#	1158305		ax#_[ AO	2101	010905
Section	1: Applica	ant Stateme	nt				
Street Addres	ss: <u>701 W E</u>	Elizabeth Street					
Subdivision L	egal Descrip	otion:					
<u>Lot 6, Bl</u> 1, Page	ock A, South 121 of the Pl	Heights, a Subolat Records of Ti	division in Travis ravis County, Te	County, Te	xas, rec	orded ur	nder volume
Lot(s): 6			Bloc	ck(s): A			
Outlot:	<del></del>	-/1	Divi				
Zoning Distric	ct: SF-3-NP	(Bouldin (	Track)	7674 7- 0.			
I/We <u>Chad K</u>	imbell			c	n behalf	of myse	elf/ourselves as
authorized	l agent for <u>[</u>	Dan Galanter					affirm that on
Month Se	elect	, Day Select	, Year Selec	t , hereb	y apply f	or a hea	aring before the
Board of A	djustment fo	or consideration	to (select approp	riate option	below):		
O Erect	OAttach	○ Complete	○ Remodel	○ Mainta	in	Other: _	Resubdivision Plat
Type of St	ructure:						

Portion of the Ci	ty of Austin Land Development Cod	le applicant is seeking a variance from:	Wy
25-1-22(C)	Except as otherwise provided in this	s title, lot width is measured at the front	10
setback line	and at a distance of 50 feet to the r	rear of the front setback line.	

### Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

#### Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

Lot 6, Block A, South Heights, platted in 1896, has a width of 46'4" which is less than the 50' width requirement for SF-3 zoning in the LDC. Lot 6 meets all 25-2-943 requirements making it a legally non-complying lot today, and has a home constructed on it up to the side setbacks from Lot 5 and Lot 7, Block A, South Heights. The proposed Galanter-Kimbell Subdivision combines all of Lot 6 with a rear tract of land, described as a portion of Lots 13 and 14, Block A, South Heights to create Lot 1 of the Galanter-Kimbell Subdivision, Considering Lot 1's configuration is exactly the same as the current Lot 6 for a depth of 127.9', the width of Lot 1 per 25-1-22(C) is the same as Lot 6, Block A, South Heights at 46'4". FYI, for lot depths greater than 127.9', Lot 1's width is 58,9'.

Hardshipa) The hardship for which the variance is requested is unique to the property in that:

There are and have been homes constructed both to the west and east of the proposed Lot 1 on legal lots for a century. All lots to the east and west were platted with a width of 46'4". Thereis no ability to add lot width to Lot 6, South Heights, nor to the proposed Lot 1. Furthermore, a home alredy exists on Lot 6 of South Heights hand is currently legally non-complying per 25-2-943. Please note that the proposed Lot 2 of the Galanter-Kimbell Subdivision currently has a home built up to the side setbacks too. The home was built in 1910. b) The hardship is not general to the area in which the property is located because:

In the general area, most lots are currently legally non-complying per 25-2-943 and are allowed construction per the LDC without a Board of Adjustment Variance. In addition these lots typically qualify for an exemption from platting per 25-4-2 and can achieve a legal lot determination. However, virtually all properties in South Heights would need this variance if they too were required to resubdivide since most violate lot width or lot area requirements.



#### **Area Character**

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

3	The variance simply re-approves what already exists today. It will not impair the use of adjacent properties and will in effect continue to function as the lots in South Heights currently function under 25-2-943.
Requ vari ppe nake	ing (additional criteria for parking variances only) lest for a parking variance requires the Board to make additional findings. The Board may grant lance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, and ix A with respect to the number of off-street parking spaces or loading facilities required if it is findings of fact that the following additional circumstances also apply:  Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:
2.	The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:
3.	The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
4.	The variance will run with the use or uses to which it pertains and shall not run with the site because:

# **Section 3: Applicant Certificate**

I affirm that my statements contained in the complete ap my knowledge and belief.	plication are true	and correct to the best of
Applicant Signature:		Date: <u>07/21/2016</u>
Applicant Name (typed or printed): Chad Kimbell at KBC	BE	11-12-36-33
Applicant Mailing Address: 105 W Riverside Dr. Suite 11		
City: Austin	State: TX	Zip: 78704
Phone (will be public information): (512) 439-0400		
Email (optional – will be public information):		
Section 4: Owner Certificate		
I affirm that my statements contained in the complete ap my knowledge and belief.  Owner Signature:		and correct to the best of  Date: 7/28/14
Owner Name (typed or printed): Dan Galanter		Date. Typopie
Owner Mailing Address: 701 West Elizabeth Street	·	
City: Austin	State: TX	Zip: 78704
Phone (will be public information): 512-439-0400		
Email (optional – will be public information):		
Email (optional – will be public information).		1,10
Section 5: Agent Information		
Agent Name: Chad Kimbell at KBGE		
Agent Mailing Address: 105 W Riverside Dr. Suite 110		
City: Austin	State: TX	Zip: 78704
Phone (will be public information): (512) 439-0400		to distribution of the state of
Section 6: Additional Space (if applicable	e)	
Please use the space below to provide additional informate referenced to the proper item, include the Section and Fi		
This subdivision is required due to adding the land of 70	00 Jewell (portion	ns of Lot 13
and Lot 14, South Heights) to 701 West Elizabeth (Lot 6		
(Lot 7 and a portion of Lot 8, South Heights), subdividin	g 3 legal lots into	2 lots. 700 Jewell is a
legal tract, but it is only 4,443 sf and only 55.30' deep.	adversalidation of the state of	- 1) demandation of reference and reference

#### Additional Space (continued)

It does not meet the 5,750 sf lot area requirement for an SF-3 zoned property per 2 SITE DEVELOPMENT REGULATIONS nor does it meet 25-1-22(C) for lot width m	
	<u> Gasumon.</u>
Removing this tract makes the platted area more compliant with today's code.	
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#### 356-001 04/21/14 ALL SPECIES AND EASTMENTS SHOWN HE AND HOT PELEASED. HAVE CHANNED AND THE WORKER ASSETS ASSETS AND STATES OF THE AND A TOTAL ASSET SANDON BY HER BY BRICEN AND ADDRESS OF THE ADDRESS OF COUNTY OF TRANS. COUNTY OF TRANS. START OF TRUE. COLARTY OF TRUE. COLARTY OF TRUE. REFORE M., THE UNDERSHED AITHOUNT, ON THE DAY THE PRIEZEM MODEL WHAT G. SAINCHBED TO THE DONE STEELED HOTEL THE THE TRUE TO CONSORD WHITELE THE THE MOTHET PUBLIC IN AND THE TRUE COUNTY, TRUE. 31YG ONY 3MILYNCIS ANYLON AJSTIM, TEXAS 78700 AJSTIM, TEXAS 78700 START SIGNATURE AND DATE 1 0, 1 SOUTH HEIGHTS VOL. 1, PG. 121 DAN CATWALEN ATZUN LEVAS 1820 ZUKELL ATZUN LEVAS 1820 ZUKELL ATZUN LEVAS 1820 Z L01 6 ELIZABETH ST. A XXOTR (80° R.D.W.) 7776 LOT B BEANNO BASES THE BASE OF BEANACE SHOW HEREDH IS THE TEAS COORDINITE SYSTEM, IND THE BASE OF BEANACE SHOW HEREDH IS THE TEAS COORDINITE SYSTEM, IND BASECHAR, COMME, ZONE, UTILIZING LECA SAMTIMET COMPINALLY OPERATING REJEROCE HETMORY. 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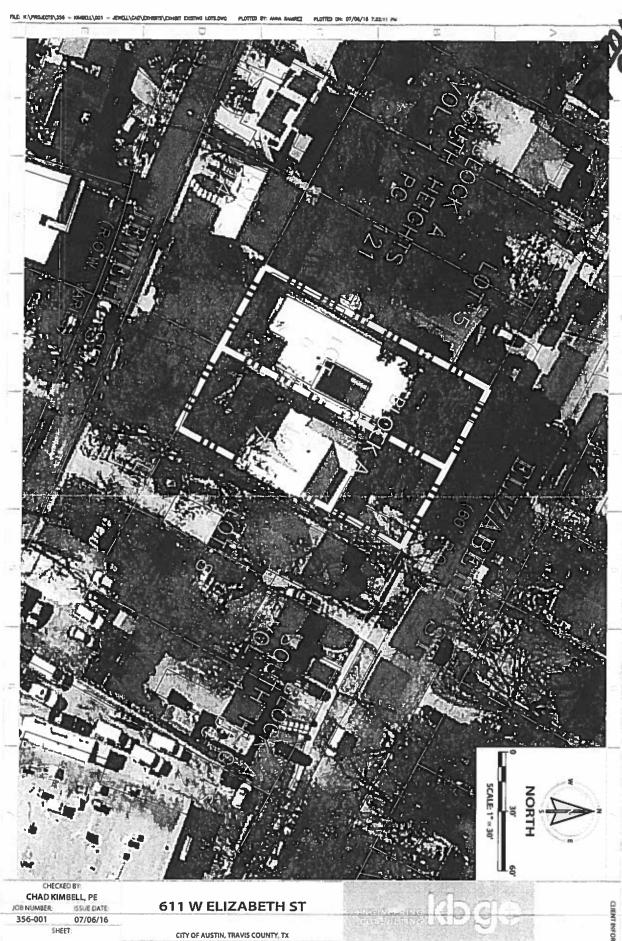


# SOUTH HEIGHTS

an addition to the

CITY .. AUSTIN

Fire Fan Recons June 158 1896 at 18 . M.



**EXHIBIT** 

**EXISTING LOTS** 

